

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

MDL Docket No. 3:10-md-02143 RS

Case No. 3:13-cv-05370 RS

This document relates to:

Hewlett-Packard Company,

Plaintiff,

v.

Toshiba Corporation, et al.,

Defendants.

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING DEFENDANTS'  
RESPONSES TO FIRST AMENDED  
COMPLAINT**

WHEREAS, on October 24, 2013, plaintiff Hewlett-Packard Co. ("HP") filed a Complaint in the United States District Court for the Southern District of Texas, and that action and Complaint were subsequently transferred to this Court as part of MDL No. 2143 (Dkt. 1073);

WHEREAS, the undersigned Defendants' filed separate Answers to the Complaint on or about April 17, 2014;

WHEREAS, HP filed a First Amended Complaint on May 8, 2014; and

WHEREAS, HP and Defendants have agreed that Defendants shall have until June 23, 2014 to respond to the First Amended Complaint.

It is therefore STIPULATED and AGREED, subject to Court approval, that:

Defendants shall have until June 23, 2014 to respond to the First Amended Complaint. To the extent any Defendant or Defendants move to dismiss the First Amended Complaint under Federal Rule of Civil Procedure 12(b)(6) or otherwise, the parties shall work in good faith to reach an agreed upon briefing schedule that they shall present to the Court no later than July 7, 2014, but in no event shall HP's response to any such motion(s) be due before August 22, 2014.

IT IS SO STIPULATED.

DATED: May 22, 2014

LATHAM & WATKINS LLP

By /s/ Belinda S Lee  
BELINDA S LEE

505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
Tel: 415-395-8240  
Fax: 415-395-8095  
belinda.lee@lw.com

*Counsel for Defendants Toshiba Samsung Storage  
Technology Korea Corporation, Toshiba Samsung  
Storage Technology Corporation, Toshiba  
Corporation, and Toshiba America Information  
Systems, Inc.*

DATED: May 22, 2014

O'MELVENY & MYERS LLP

By: /s/ Ian Simmons  
IAN SIMMONS

1625 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 383-5106  
Facsimile: (202) 383-5414  
isimmons@omm.com

*Counsel for Defendants Samsung Electronics Co.,  
Ltd. and Samsung Electronics America, Inc.*

DATED: May 22, 2014

BOIES SCHILLER & FLEXNER LLP

By: /s/ John F. Cove, Jr.  
JOHN F. COVE, JR.

1999 Harrison Street, Suite 900  
Oakland, CA 94612  
Telephone: (510) 874-1000  
Facsimile: (510) 874-1460  
jcove@bsfllp.com

*Counsel for Defendants Sony Corporation, Sony  
Electronics, Inc., Sony Optiarc Inc., Sony NEC  
Optiarc Inc., and Sony Optiarc America Inc.*

DATED: May 22, 2014

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Mary Ellen Hennessy  
MARY ELLEN HENNESSY

525 W. Monroe Street  
Chicago, IL 60661-3693  
Telephone: (312) 902-5331  
Facsimile: (312) 577-8977  
Maryellen.hennessy@kattenlaw.com

*Counsel for Defendants TEAC Corporation and  
TEAC America Inc.*

DATED: May 22, 2014

WINSTON & STRAWN LLP

By: /s/ Jeffrey L. Kessler  
JEFFREY L. KESSLER

200 Park Avenue  
New York, NY 10166  
Telephone: (212) 294-6700  
Facsimile: (212) 294-4700

jkessler@winston.com

*Attorney for Defendant Panasonic Corporation and  
Panasonic Corporation of North America*

DATED: May 22, 2014

WINSTON & STRAWN LLP

By /s/ Robert B. Pringle  
ROBERT B. PRINGLE

101 California Street  
San Francisco, CA 94111-5894  
Telephone: (415) 591-1000  
Facsimile: (415) 591-1400  
rpringle@winston.com

*Attorneys for Defendant NEC Corporation*

DATED: May 22, 2014

CROWELL & MORING LLP

By /s/ Daniel A. Sasse  
DANIEL A. SASSE

Angela J. Yu  
3 Park Plaza  
20th Floor  
Irvine, CA 92614  
Tel: 949-263-8400  
Fax: 949-263-8414  
dsasse@crowell.com  
ayu@crowell.com

Beatrice B. Nguyen  
275 Battery Street, 23rd Floor  
San Francisco, CA 94111  
Tel: 415-986-2800  
Fax: 415-986-2827  
bnguyen@crowell.com

*Counsel for Plaintiff Hewlett-Packard Co.*

Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from each of the signatories.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 5/23/14



HONORABLE RICHARD TEEBORG  
UNITED STATES DISTRICT COURT JUDGE